



City of San Diego
MEMORANDUM

DATE: November 3, 2008

TO: City Council
City Clerk Liz Maland

FROM: Councilmember Kevin Faulconer

Councilmember Donna Frye

Councilmember Brian Maienschein

Kevin Faulconer
Donna Frye
Brian Maienschein

RE: Selecting Council Leadership on December 8

Some have speculated about the possibility of scheduling an early vote on the new Council President, or on the appointment of an interim "Presiding Officer," before the new council members are seated. We are writing to express our strongest opposition to either possibility.

Council precedent and the principles of sound governance and democracy advise against the participation of departing council members in the selection of leadership for the new council.

The City Municipal Code specifies that the Council President's term takes effect at the first meeting of the Council in January. This logically implies that the election of a Council President occurs after new members are sworn in

"No later than the first meeting of the Council in January of each calendar year, the Council shall select a President from one of its members by majority vote of the Council. The President shall serve for a term of one year, commencing on the first meeting of the Council in January of each year, or until a successor is selected and qualified, whichever is later." (San Diego Municipal Code, Permanent Rules of Council, Rule 4.2, emphasis added)

We therefore propose the following process to facilitate an orderly and democratic transition:

- Using precedent established in July 2005, we propose that the City Clerk open the City Council's meeting on December 8 - with the first order of business being the election of City Council leadership.
- The City Council docket for December 8 will include an agenda item relating to the election of the Council President and Council President Pro Tem - as well as selection of the Committee Chairs. Included shall be the discussion of the term of appointments.
- In anticipation of possible changes to the role of council leadership and the legislative process, the docket for December 8 should also include an agenda item relating to any proposed changes to the Permanent Rules of the City Council.

CC: Mayor Jerry Sanders
City Council Candidates, Districts 1, 3, 7
City Attorney Michael Aguirre and City Attorney Candidate Jan Goldsmith